

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
DELTA DIVISION**

**JARRELL D. TERRY**  
**ADC #149998**

**PLAINTIFF**

**v.**

**CASE NO: 2:21-cv-00030-JM-JJV**

**JAMES DYCUS, *et al.***

**DEFENDANTS**

**ORDER**

The Court has reviewed the Proposed Findings and Recommended Disposition submitted by United States Magistrate Judge Joe J. Volpe. No objections have been filed. After careful consideration, the Court concludes that the Proposed Findings and Recommended Disposition should be, and hereby is, approved and adopted in its entirety as this Court's findings in all respects.

IT IS, THEREFORE, ORDERED that:

1. Plaintiff's official capacity damages claims are dismissed without prejudice for failure to state a claim on which relief may be granted.
2. Plaintiff's retaliation claims are dismissed without prejudice for failure to state a claim on which relief may be granted
3. Plaintiff's deprivation of personal property claims are dismissed without prejudice for failure to state a claim on which relief may be granted
4. Plaintiff's claims against Defendant Straughn are dismissed without prejudice for failure to state a claim on which relief may be granted
5. Plaintiff's due process claims against Defendant Perry is dismissed without prejudice for failure to state a claim on which relief may be granted.

6. Plaintiff's claims against Defendant Granville are dismissed without prejudice for failure to state a claim on which relief may be granted.

7. Plaintiff's failure to protect and failure to intervene claims against Defendants Seal and Brown are dismissed without prejudice for failure to state a claim on which relief may be granted and as not properly joined.

8. Defendants Straughn, Perry, Granville, Seal, and Brown are dismissed from this action.

9. The individual capacity claims against Defendants Norment, Graham, Kelly, Dycus, and Naylor survive.

10. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from any Order adopting these recommendations would not be taken in good faith.

DATED this 11th day of May, 2021.

  
UNITED STATES DISTRICT JUDGE